

Overbid procedure (*if any*):

See attached Exhibit A

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

February 20, 2020 at 2:00 pm, Courtroom 301, 21041 Burbank Boulevard, Woodland Hills, California 91367

Contact person for potential bidders (*include name, address, telephone, fax and/or email address*):

Anthony A. Friedman
Levene, Neale, Bender, Yoo & Brill L.L.P.
10250 Constellation Blvd., Suite 1700
Los Angeles, CA 90067
Tele: 310-229-1234
Fax: 310-229-1244
E-mail: AAF@LNBYB.COM

Date: 01/30/2020

Exhibit A

Overbid Procedures:

1. Notice of Intent to Bid/Deposit. Any party interested in bidding on the Assets during the Overbid Auction shall submit a written notice of intent to bid along with a cashiers' check in the amount of \$25,000.00 (the "Overbid Deposit") to the Trustee via cashier's check no less than 7 business days prior to the hearing on this Motion;
2. Minimum Initial Overbid/Bid Increments. The minimum initial overbid during the Overbid Auction shall be no less than \$265,000.00 (the "Initial Overbid") and, thereafter, each overbid shall be no less than \$5,000.00 (the "Bidding Increment") more than the immediately preceding bid;
3. Proof of Ability To Overbid: Any prospective overbidder shall provide to the Trustee a Cashier's Check, payable to "Diane C. Weil, Chapter 7 Trustee", in the amount of at least the Purchase Price plus the Initial Overbid, less the Overbid Deposit, at or prior to the time of hearing. Failure to provide a properly payable Cashier's Check will absolutely disqualify a party from being able to bid on the Assets;
4. Back-up Bidder. If multiple offers are presented during the Overbid Auction, the highest and best offer shall be selected as the winning bid (the "Winning Bidder"). The individual or entity that offered the next highest and best offer (the "Back-up Bid") may elect to serve as the back-up bidder (the "Back-up Bidder"). In the event that (i) the Winning Bidder (other than the Buyer) fails to close the Sale within the time allotted; (ii) the Purchaser has elected to serve as the Back-up Bidder; and (iii) the Buyer fails to purchase the Assets within the time allotted, the Trustee shall solely retain or be entitled to recover the Deposit or Overbid Deposit, as applicable, as liquidated damages;

5. Overbid Deposit Return. With the exception of the funds submitted by the Winning Bidder and/or Back-up Bidder, all Overbid Deposits shall be returned no later than five (5) business days after the conclusion of the Overbid Auction. If the Winning Bidder closes on the Sale, the Back-up Bidder shall be entitled to the return of his/her/its Overbid Deposit and/or any and all funds remitted to the Trustee in furtherance of the Purchase of the Assets no more than five (5) business days after the Closing Date;

6. Bidding Order. Bidding during the Overbid Auction shall begin with the highest qualified overbid submitted prior to the Overbid Auction. During the Overbid Auction, the Buyer shall be entitled to offer the first bid in response to the opening bid. Thereafter, the order for the submission of bids shall be governed by the time at which the overbids were submitted prior to the Overbid Auction—the earliest overbid being entitled to submit the first bid after the Buyer. Bidding shall continue until a Winning Bidder and Back-up Bidder are selected; and

7. No Telephonic Participation Permitted By Overbidders. Except for the Buyer or the Buyer's designated agent, any overbidder who wishes to participate in the Overbid Auction must be present (whether in person or through a designated agent) at the hearing on this Motion; no telephonic participation at the Overbid Auction will be permitted (except for the Buyer or the Buyer's designated agent).

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 10250 Constellation Boulevard, Suite 1700, Los Angeles, CA 90067.

A true and correct copy of the foregoing document entitled **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **January 30, 2020**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- David E Ahdoot dahdoot@bushgottlieb.com, kireland@bushgottlieb.com
- Michael Jay Berger michael.berger@bankruptcypower.com, yathida.nipha@bankruptcypower.com; michael.berger@ecf.inforuptcy.com
- David I Brownstein david@brownsteinfirm.com
- James A Bush jbush@vdalaw.com
- Lawrence A Diamant lad@lnbrb.com, katie@lnbrb.com
- Anthony A Friedman aaf@lnbyb.com
- Anthony A Friedman aaf@lnbyb.com
- Meredith King meredithvandykeking@gmail.com
- Joseph A Kohanski jkohanski@bushgottlieb.com, kprestegard@bushgottlieb.com
- Jonathan David Leventhal law@3yl.com
- Lindsey L Smith lls@lnbyb.com, lls@ecf.inforuptcy.com
- United States Trustee (SV) ustpregion16.wh.ecf@usdoj.gov
- Diane Weil dcw@dcweillaw.com, DCWTrustee@dcweillaw.com, dweil@iq7technology.com, alopez@dcweillaw.com
- Diane C Weil (TR) dcweil@dcweillaw.com, DCWTrustee@dcweillaw.com, dweil@iq7technology.com, alopez@dcweillaw.com
- Brent A Whittlesey brent.whittlesey@usdoj.gov
- Edward M Wolkowitz emw@lnbrb.com
- Edward M Wolkowitz emw@lnbrb.com

2. SERVED BY UNITED STATES MAIL: On **January 30, 2020**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Hon. Victoria S. Kaufman
United States Bankruptcy Court
21041 Burbank Blvd, Suite 354
Woodland Hills, CA 91367

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **January 30, 2020**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

January 30, 2020

Lisa Masse

/s/ Lisa Masse

Date

Type Name

Signature